

FILED UNDER SEAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WAYNE VAN SCOY,)
Plaintiff and)
Counterclaim-Defendant,)
v.)
VAN SCOY DIAMOND MINE OF) Case No. 05-108 (KAJ)
DELAWARE, INC., a Delaware corporation,)
KURT VAN SCOY, and DONNA VAN SCOY,)
Defendants and)
Counterclaim-Plaintiffs.)

**ANSWERING BRIEF OF DEFENDANTS VAN SCOY DIAMOND MINE OF
DELAWARE, KURT VAN SCOY & DONNA VAN SCOY TO PLAINTIFF WAYNE
VAN SCOY'S MOTION FOR SUMMARY JUDGMENT OF INFRINGEMENT AND
WILLFUL INFRINGEMENT BY DEFENDANTS**

FOX ROTHSCHILD, LLP

By: /s/ Sharon Oras Morgan (#4287)
Sharon Oras Morgan
919 North Market Street
Suite 1300
Wilmington, DE 19801
Telephone: (302) 622-4246
Facsimile: (302) 656-8920
E-mail: smorgan@foxrothschild.com
*Attorneys for Defendants and
Counterclaim Plaintiffs*

OF COUNSEL:

Charles N. Quinn Esquire
Fox Rothschild, LLP
2000 Market Street, 10th Floor
Philadelphia, PA 19103
Telephone: (215) 299-2135
Facsimile: (215) 299-2150

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